

## **4.9 LAND USE AND PLANNING**

### **4.9.1 Environmental Setting**

#### **On-site Land Uses**

The SP area encompasses approximately 77.5 of Westfield Carlsbad Shopping Center's 96.6 acres, including the entire shopping center and the majority of the center's surface parking areas. The shopping center includes the main mall and five out-buildings, including a movie theater, office building, bank, restaurant, and tire shop. The approximately 28.5-acre SDP project area contains the eastern portion of the main mall, which includes one main anchor building, numerous smaller retail shops and restaurants, and nearby surface parking (Figure 3-1).

#### **Off-site Land Uses**

North of the SP area and the City's boundary with the City of Oceanside are additional shopping center parking, the Buena Vista sewer pump station, Buena Vista Creek, and SR-78. North of SR-78 are the El Camino North Shopping Center and single- and multi-family residential communities in the City of Oceanside. East of the SP area on the eastern side of El Camino Real are two commercial shopping centers, Carlsbad Plaza and Carlsbad Plaza South, east of which several multi-family residential communities have been developed. A steep, vegetated hillside occurs immediately south of the SP area and rises from Marron Road to an elevation of approximately 200 feet AMSL. Multi-family residential land uses have been developed on the hillside beginning at approximately 100 feet AMSL. The Hosp Grove Community Park trail system and natural/passive open space recreational area occurs on the same slope and extends southwest of the project site. West of the project site is a smaller commercial shopping center, North County Plaza, and the Buena Vista Lagoon Ecological Preserve, located beyond the shopping center.

Existing land uses for the project site and vicinity are presented in Figure 4.9-1, *Existing Land Uses*.

#### **Existing Land Use Plans, Policies, and Regulations**

The following describes the land use plans, policies, and regulations applicable to the proposed SP and current SDP proposal.

## City of Carlsbad General Plan

Land use in the project area is controlled by the goals, objectives, and policies set forth in the Carlsbad General Plan, as adopted by the Carlsbad City Council in 1994. Eight elements comprise the City's General Plan: Land Use, Circulation, Noise, Housing, Open Space and Conservation, Public Safety, Parks and Recreation, and Arts. Together, these elements satisfy the seven mandatory general plan elements as established in the California Government Code. Goals, objectives, and implementing policies and action programs have been established for each of the elements as summarized below.

### *Land Use Element*

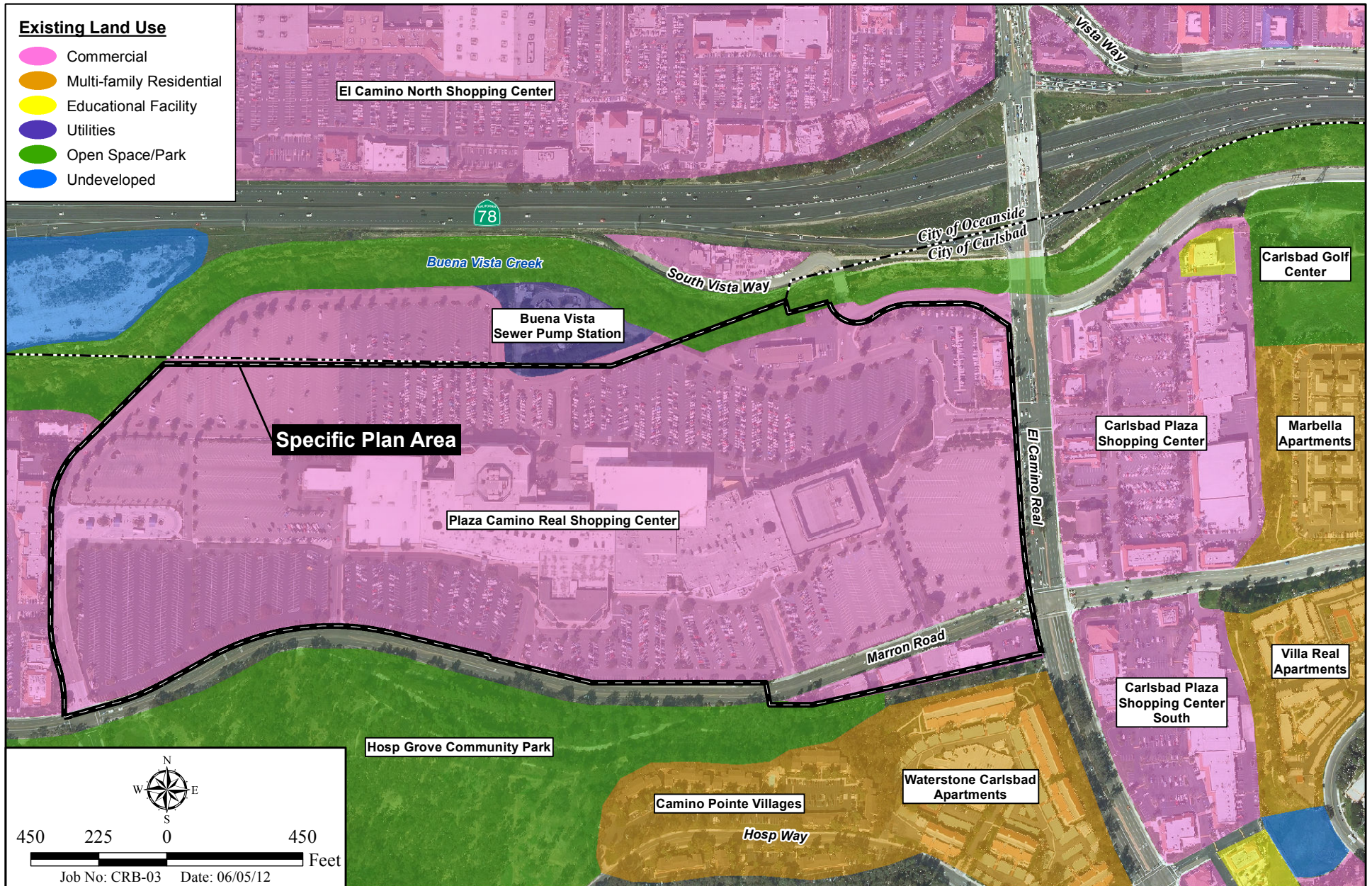
The principle of the Land Use Element and associated land use plan is to establish a balanced community with a full range and variety of land uses, providing sufficient land to meet the needs of the community over a long-term period while preserving the quality and quantity of the natural environment. This element also addresses the provision of adequate public facilities necessary to serve the land uses identified in the General Plan. The Land Use Element provides goals, objectives, and implementing policies and action programs for land development; land use classifications and descriptions; and a program for managing the future growth of the City. The Land Use Element was most recently amended in September 2010 (City of Carlsbad 2010c).

The SP area land use designation is Regional Commercial (R). The land use designations immediately surrounding the SP area are Open Space (OS), Medium-High Density Residential (RMH), and Local Shopping Center (L). Figure 4.9-2, *City of Carlsbad General Plan Land Use Designations*, depicts the existing General Plan land use designations for the SP area and vicinity.

### *Circulation Element*

The Circulation Element is a comprehensive plan for the circulation of people, goods, energy, water, sewage, storm waters, communications, and services. The primary focus is to provide for the safe and efficient movement of people and goods within the City and to provide public access to all existing and future land uses identified in the Land Use Element. The element includes goals, objectives, policies and action plans concerning the circulation needs of the City and addresses issues relating to major thoroughfares, transportation routes and modes (including transit, bicycle, pedestrian, rail and light rail and air travel) and other local public utilities and facilities.





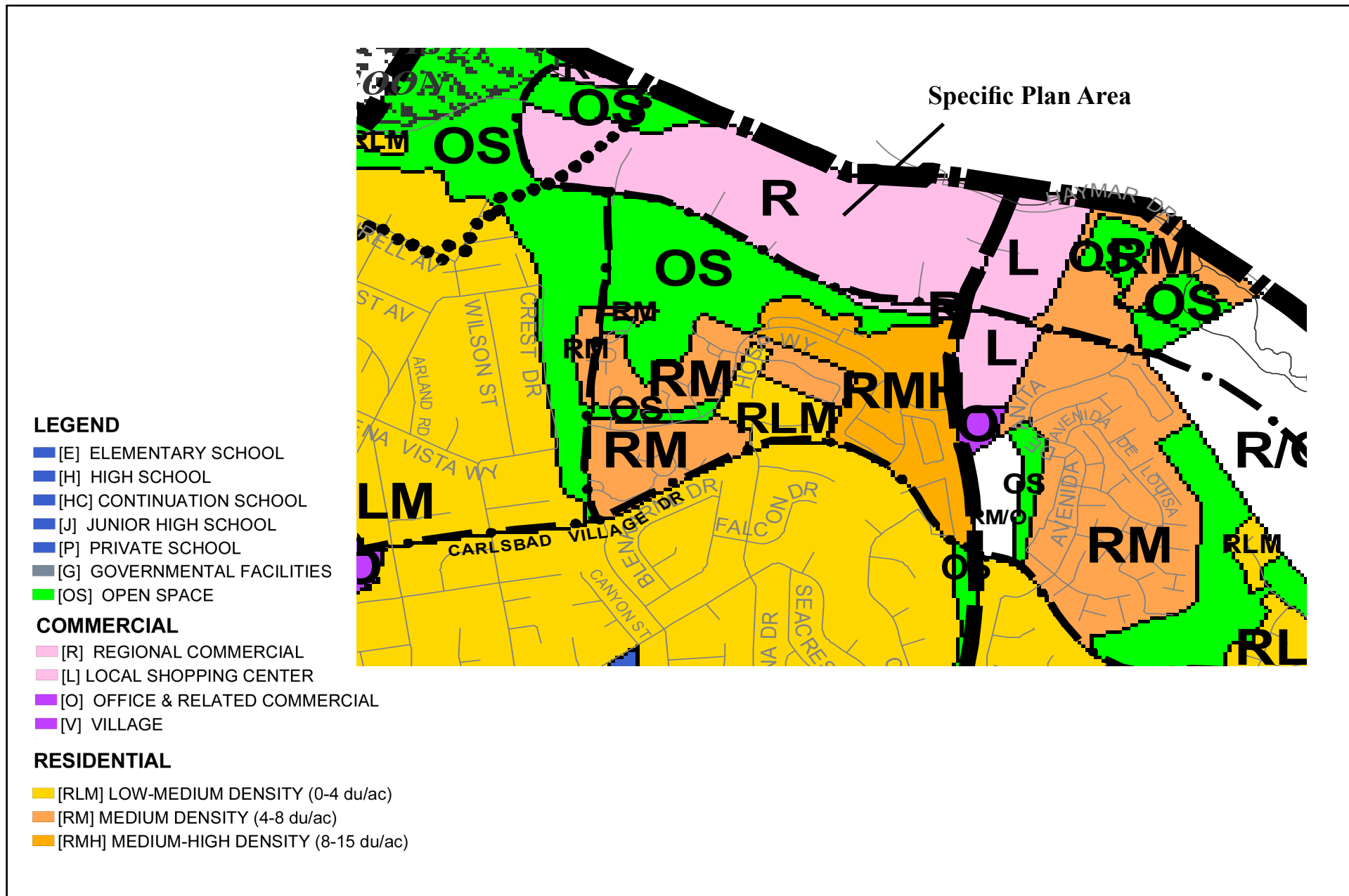
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## Existing Land Uses

WESTFIELD CARLSBAD

Figure 4.9-1





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## City of Carlsbad General Plan Land Use Designations

WESTFIELD CARLSBAD

Figure 4.9-2

As discussed in Section 4.1, *Aesthetics*, the City adopted Scenic Corridor Guidelines in July 1988. The guidelines, which are included in the Circulation Element of the City's General Plan, identify the scenic corridors within Carlsbad and provide recommendations for preserving the character of the corridors. Significant vistas within the area are also identified in the guidelines. The Scenic Corridor Guidelines are intended to be used as a guide for improvements that take place within or adjacent to the rights-of-way for identified scenic corridors. El Camino Real is identified as a Community Theme Corridor in the Circulation Element of the General Plan.

#### *Noise Element*

The goal of the Noise Element is to achieve and maintain an environment that is free from objectionable, excessive, or harmful noise. The element identifies and defines existing and future noise levels from sources of noise within or adjacent to the City; establishes goals, objectives, and policies to mitigate these noise impacts; and provides implementing policies and action programs to fulfill the goals and objectives.

#### *Housing Element*

The Housing Element addresses the housing supply and demand as well as existing and potential housing stock; explores the various governmental, non-governmental, and environmental constraints to maintaining existing housing and providing future housing; and outlines the policies, objectives, and programs for providing adequate housing opportunities to meet the anticipated needs. The current Housing Element was approved by the City Council in December 2009 and certified by the State in March 2010. Westfield Carlsbad is identified as a proposed shopping center mixed-use site in the Housing Element. According to the element, the potential exists for up to 285 high-density housing units on the parking lot of the Westfield Carlsbad shopping center property within the boundaries of the SP. However, any development of residential uses in the SP area would be subject to additional CEQA review and the City of Carlsbad's approval of additional discretionary actions.

#### *Open Space and Conservation Element*

The Open Space and Conservation Element of the General Plan establishes goals, objectives, and policies for the development of a comprehensive, connected open space system and for the protection and conservation of the City's natural and historic resources. The element addresses eight primary topics: open space planning and protection, obtaining open space, special resource

protection, trails/greenway system, promotion of agriculture, air quality preservation, water quality protection, and historic and cultural preservation.

#### *Public Safety Element*

The purpose of the Public Safety Element is to introduce safety considerations into the planning and decision-making processes of the City to reduce risk of injury, loss of life, property damage, and economic and social dislocation resulting from natural and manmade hazards. The element contains the goals and objectives aimed at reducing the risks associated with identified hazards (including geologic and seismic hazards, flood hazards, hazardous materials and crime) and provides implementing policies and action programs to improve land use planning and introduce mitigation measures into the City's development process.

#### *Parks and Recreation Element*

The Parks and Recreation Element establishes the foundation for current operation and future development of park facilities and recreation programs within the City. The intent of this element is to provide the policy framework by which the City will plan, develop, and provide quality active and passive park facilities, trails, and recreational programs. This element provides park classification descriptions; facility standards; and goals, objectives, and implementing policies and action programs for park development, recreation programs, and special resource, open space, and cultural-historical areas.

#### *Arts Element*

The Arts Element provides the policy framework necessary to achieve an aesthetic environment for the City through the ready availability of performing arts and a goal to assure desirable aesthetics in all of the City's land forms, landscaping and architecture.

#### City of Carlsbad Zoning Ordinance

The City of Carlsbad Zoning Ordinance serves as the legal mechanism for implementation of the General Plan, and provides the specific physical land use planning criteria for development within the city. The SP area is zoned as C-2, General Commercial, which may include uses such as commercial and office, personal services, retail and wholesale. The City of Carlsbad zones surrounding the SP area include Planned Community (P-C) and Open Space (O-S) to the south; Local Shopping Center (C-L) to the east; and C-2 and O-S to the west.

### Growth Management Chapter of Municipal Code

The Growth Management chapter (Chapter 21.90) of the City's Municipal Code is generally intended to provide a balanced community, ensure that development is consistent with the General Plan; and prevent growth unless adequate public facilities and improvements are provided in a phased and logical fashion. This chapter of the Zoning Ordinance generally provides that General Plan amendments, zone changes, and SP amendments that would increase the density or development intensity of that established by the General Plan are required to amend the applicable Local Facilities Management Plan (LMFP) prior to project approval.

### Zone 1 Local Facilities Management Plan

The City's Growth Management Program (GMP) and Chapter 21.90 of the City's Municipal Code divides Carlsbad into 25 local facilities management zones (LFMZs) and the GMP requires the preparation of LFMPs for each of these management zones. The LFMPs implement the provisions to the City's GMP by phasing all development and public facility needs in accordance with the adopted GMP performance standards. Individual projects must comply with the provisions of the LFMP in which they are located, as well as implement provisions of the citywide plan. The SP area is located within Local Facilities Management Zone 1 (LFMZ 1). Figure 4.9-3, *City of Carlsbad Local Facilities Management Zones*, depicts the SP area in relation to the LFMZs in the City.

The GMP establishes performance standards for 11 different public facilities: city administration, library, wastewater treatment, parks, drainage, circulation, fire, open space, schools, sewer collection, and water distribution. The GMP requires these public facilities to be available in conformance with the adopted performance standards in any area where new development occurs. If a particular LFMZ is not in compliance with each of the 11 public facility standards, no new development can occur within that LFMZ.

### Landscape Manual

The City of Carlsbad adopted a Landscape Manual in November 1990, which was then amended in February 2012 (Carlsbad 2012a), to aid project applicants and their landscape architects in understanding the City's policies toward landscaping. It is a comprehensive document listing landscaping programs, policies, and requirements for all public and private development in

Carlsbad requiring discretionary permits or submittal of landscape plans for development permits. The Landscape Manual contains policies and requirements associated with:

- Planting
- Irrigation
- Water Conservation
- Streetscape
- Slope Revegetation/Erosion Control
- Fire Protection

The policies and requirements within the Landscape Manual (Carlsbad 2012a) are minimum standards, and projects are encouraged to exceed the standards whenever possible. Where conflict with the Municipal Code or other standards occurs, the more stringent landscaping standard would apply, although variances are permitted on a case-by-case basis when undue hardships or special circumstances would make the variance necessary.

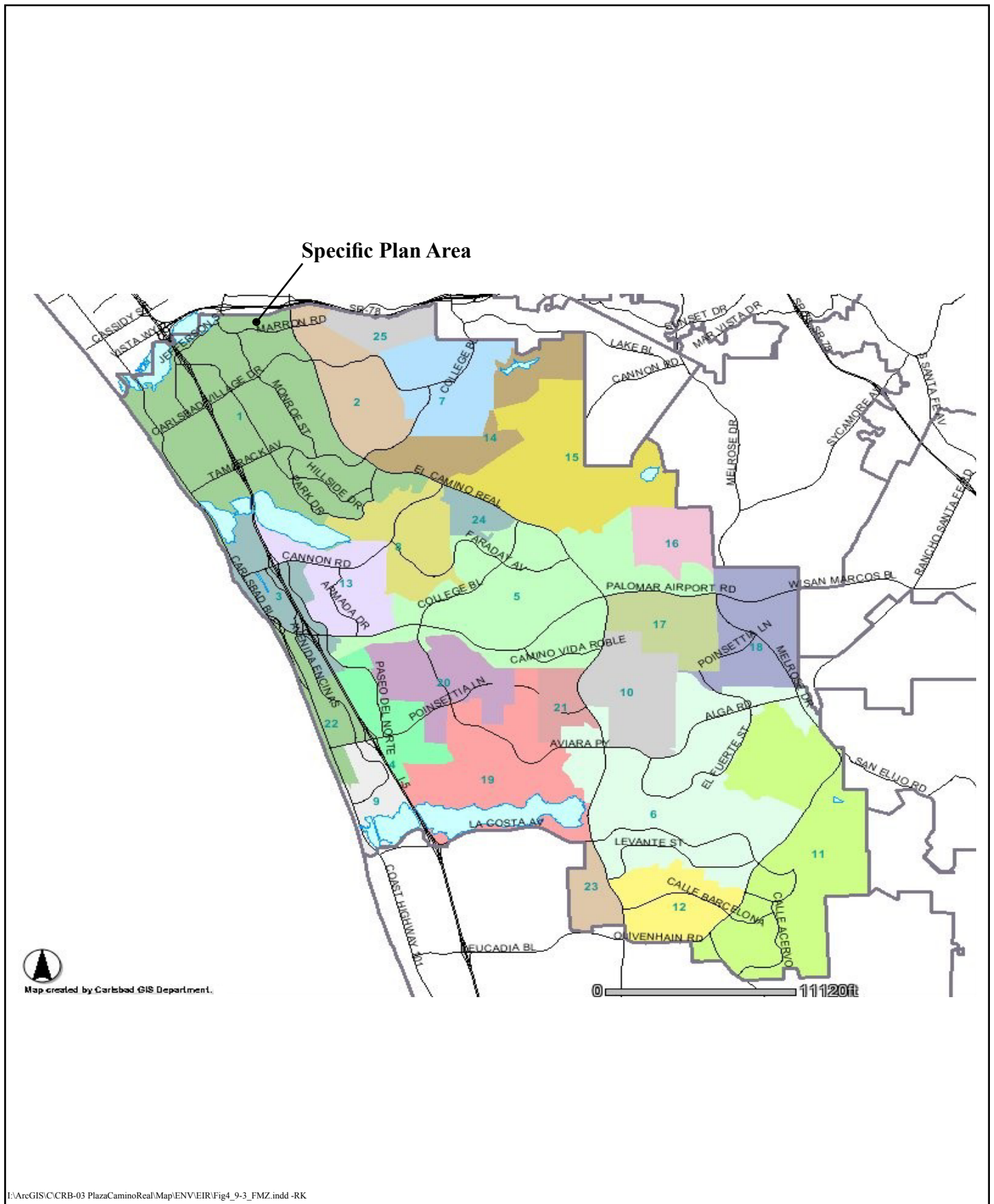
#### Precise Plan (PP 24)

In 1977, the City Council approved PP 24, allowing an expansion of the shopping mall through the development of two major department stores, mall shops, accessory parking, and realignment of Buena Vista Creek. Included with PP 24 were conditions of approval, which generally concerned parking lot planning, landscaping, building and facilities design, signage, and public transportation and roadway improvements. As discussed in Section 3.2, *Project Background*, there have been several amendments to PP 24 to allow for further expansion and redevelopment of the mall facilities. The most recent amendment was PP 24(K), approved in 2001.

#### El Camino Real Corridor Development Standards

The El Camino Real Corridor Development Standards were developed to maintain and enhance the appearance of the El Camino Real roadway area and further the goals of the Land Use and Circulation Elements of the General Plan in preserving unique City resources as they relate to highways. The standards reflect both a general design concept for the length of the El Camino Real right-of-way, as well as development restrictions for private properties fronting on the roadway. Five sub-areas have been designated for the El Camino Real Corridor, based on existing development characteristics. The standards include area-specific guidance for design theme, median breaks, sidewalks, signs, building height, grading, setback from roadway, street furniture, street light spacing, and roof equipment. The standards for the segment of El Camino Real from SR-78 to Elm Avenue are applicable to the SP and current SDP proposal.





## City of Carlsbad Local Facilities Management Zones

WESTFIELD CARLSBAD

Standards for signs, building height, grading, and setback from roadway within this area would be applicable to the proposed project. The design theme for the SR-78 to Elm Avenue segment of El Camino Real is “Old California/Hispanic” style. Building heights may reach a maximum of 35 feet from pad grade. No cut or fill exceeding 15 feet from the original grade is allowed. Non-residential buildings must be set back a minimum 15 feet from the roadway; upslope structures must be set back at least 15 additional feet from the top of the slope. In addition to building, grading and setback standards, wood and externally-lighted wall signs are specified in the standards. Deviations from the corridor standards may be approved by the Planning Commission if: (1) compliance with a standard would be infeasible for a project, (2) the scenic qualities of the corridor will continue to be maintained if the standard is not fulfilled, (3) the project would not have an adverse impact on traffic safety, and (4) the project is designed so as to meet the intent of the scenic preservation overlay zone. Existing developed areas along El Camino Real are exempt from the standards, unless intensification of development occurs. Changes in signage and/or landscape are not exempt, however, from the standards. The standards also do not affect areas with building permits or valid site plan approvals from the City.

#### Habitat Management Plan for Natural Communities in the City of Carlsbad

The Habitat Management Plan (HMP), which serves as the City’s Subarea Plan within the Multiple Habitat Conservation Program (MHCP) Subregional Plan for north coastal San Diego County, received its final approval in 2004. The plan proposes a comprehensive, citywide program to preserve diversity of habitat and protect sensitive biological resources while allowing continued economic development consistent with the City’s General Plan and GMP. The HMP was developed by the City in cooperation with the California Department of Fish and Game (CDFG) and U.S. Fish and Wildlife Service (USFWS). The purpose of the plan is to guide the design, management, monitoring and public use of the preserve system. The HMP also identifies existing and proposed conservation areas that are present in the general vicinity of the SP area. The Buena Vista Lagoon Ecological Reserve is situated west of the Westfield Carlsbad shopping center site.

#### City of Oceanside Draft Subarea Plan

The major biological objectives of the Oceanside Draft Subarea Plan build on the objectives of the Subregional MHCP. The City of Oceanside prepared the Draft Subarea Plan, pursuant to the requirements of the Natural Community Conservation Plan (NCCP) and MHCP, and circulated it for public review in April 2004. The City has not yet adopted the plan. The portion of Buena Vista

Creek that occurs just north of the Westfield Carlsbad shopping center is outside of the Pre-approved Mitigation areas (or conservation areas) defined in the Oceanside Draft Subarea Plan.

#### **4.9.2 Thresholds for Determining Significance**

Appendix G of the State CEQA Guidelines is used to provide direction for determination of a significant land use impact from the proposed project. For the purpose of this EIR, a significant impact would occur if the proposed project would:

- Physically divide an established community or cause incompatibility of existing or planned land uses;
- Conflict with any applicable land use plan, policy, or regulation including the City's General Plan, Zoning Ordinance, Municipal Code, or Zone 1 Local Facilities Management Plan, resulting in a significant physical impact on the environment; or
- Conflict with the City of Carlsbad's Habitat Conservation Plan/Ongoing Multi-Species Plan.

#### **4.9.3 Environmental Impact**

##### **On-site Land Use Compatibility**

The SP proposes the continuation of regional commercial uses on the project site (see Figure 3-1), including retail, service, entertainment and dining uses, and would allow for temporary lot events, such as demonstration events, tree lots, community events, farmers markets and other one-time activities. As illustrated in Figure 3-1, the current SDP proposes the demolition, reconfiguration, and/or reconstruction of 225,631 sf of existing commercial/retail space and the development of 261,048 sf for 35,417 net new sf of commercial space. Portions of the main mall would be demolished/reconfigured and pads for three new structures (or out-buildings) in the southeast portion of the SP area would be constructed. The current SDP proposal would be compatible with existing land use and zoning designations for the property. The area is currently developed with a regional shopping center and this type of land use would continue under the proposed SP.

The proposed SP incorporates land use objectives and development standards that address architecture and building materials; setbacks; grading; landscape; loading, storage and refuse

collection; and parking. The proposed project would provide a positive impact to on-site land uses by improving and expanding the existing commercial facilities, revitalizing the shopping center to make it more modern so that it continues to be a vibrant regional activity center. Because of the consistency with existing uses and positive impacts of the proposed project, no significant adverse effects related to division of an established community or land use incompatibility would occur.

### **Off-site Land Use Compatibility**

Land uses surrounding the SP area generally consist of open space, commercial, and residential uses. The proposed SP and current SDP proposal would not create incompatibilities with the surrounding communities, as the SP area would remain designated as C-2 with the same land uses in place. Potential environmental effects may include noise, light, glare, aesthetics or visual, or other physical impacts to surrounding land uses from the proposed project's land uses. These impacts are discussed in other sections of this EIR; however, based on those analyses the project would not result in a land use incompatibility with off-site land uses. The project does not represent a change in land use character or intensity that would have the effect of dividing or disrupting existing land uses within the surrounding community. As with on-site land uses, the proposed SP and SDP would potentially provide a positive impact to off-site land uses. The SP would define land use objectives and provide cohesive development standards for the proposed site additions and modifications.

The potential exists for indirect impacts associated with traffic and possible conflicts with other utilities during construction and future maintenance activities. Potential conflicts with utilities, including natural gas lines, electrical conduits, or overhead power transmission lines, would be identified and addressed in the final design stage of any construction and maintenance activities, including the current SDP proposal. The City requires that all construction and maintenance activities are coordinated in the planning stage with other facilities that may be affected.

Under certain circumstances, an EIR should address the environmental effects that may indirectly occur from the long-term closure and vacancy of commercial uses in an urban area caused by the development of a new large shopping or retail center since such long-term vacancies may lead to blight and physical deterioration. These effects, termed "urban decay," are generally concerned with physical deterioration that is so prevalent or substantial it impairs the proper utilization of affected real estate or the health, safety and welfare of the surrounding community. However, the proposed project would redevelop an existing department store and mall shops and only develop an additional 35,417 sf (net) of new commercial space on the

Westfield Carlsbad Shopping Center site. There is no indication that such a relatively minor increase in regional shopping center uses would cause the long-term vacancy or closure of other local commercial establishments and related urban decay effects in the Carlsbad area.

### **Existing Land Use Plans, Policies, and Regulations**

#### Consistency with the City of Carlsbad General Plan

The existing General Plan (Carlsbad 1994b) designation of Regional Commercial (R) would be compatible with the SP, as it would allow for the expansion of the existing commercial development within the shopping center. Westfield Carlsbad would retain full-line anchor department stores and a full range of specialty retail, restaurant, and entertainment uses. Because the proposed SP is consistent with the existing General Plan and LFMP land use designations, a less than significant impact would occur as outlined below. It should be noted that the SP area is located outside the California Coastal Zone; therefore, no conflicts with Coastal Act policies in the LCP would occur. In addition, policies in the Open Space and Conservation Element are not applicable to the proposed project as there are no natural resources on site.

#### General Plan Policy Analysis

The following is an analysis of the project's consistency with applicable policies in the General Plan, which are specified below.

#### *Land Use Element*

- *A City which provides for an orderly balance of both public and private land uses within convenient and compatible locations throughout the community and ensures that all such uses, type, amount, design, and arrangement serve to protect and enhance the environment, character and image of the City.*
- *A City which provides for land uses which through their arrangement, location and size, support and enhance the economic viability of the community.*
- *A City that achieves a healthy and diverse economic base by creating a climate for economic growth and stability to attract quality commercial development to serve the employment, shopping, recreation, and service needs of Carlsbad residents.*



- *A City which provides for the development of compatible, conveniently located neighborhood shopping centers.*
- *A City that promotes economic development strategies, for commercial, industrial, office and tourist-oriented land uses.*
- *Overall Land Use Pattern, Objective B.2: To create a visual form for the community, that is pleasing to the eye, rich in variety, highly identifiable, reflecting cultural and environmental values of the residents.*
- *Commercial, Objective B.3: To establish and maintain commercial development standards to address landscaping, parking, signs, and site and building design, to ensure that all existing and future commercial developments are compatible with surrounding land uses.*

Project Consistency: The Westfield Carlsbad SP would be the regulatory document that would provide guidance for the expansion and redevelopment of the existing regional shopping mall, conveniently located within a major commercial district with prime regional access. The development standards, design guidelines, and implementation procedures included in the SP would serve to protect and enhance the environment, character, and image of Carlsbad, while adding to the leasable commercial space available in the City. Completion of the mall expansion and redevelopment of the site in accordance with the current SDP proposal would enhance the economic viability of the community and stimulate economic growth by revitalizing an existing regional commercial center and creating additional part-time and full-time employment opportunities within a diverse range of retail and commercial uses. The development proposed in the current SDP would offer compatible, expanded shopping opportunities that are conveniently located for local residents and attractive to tourists.

With regard to aesthetics, the design and arrangement of the commercial uses would serve to enhance the environment, character, and image of Carlsbad. The commercial redevelopment is designed to offer expanded, compatible, and conveniently located shopping opportunities for City residents and regional residents. The Westfield Carlsbad SP and SDP proposal would maintain high commercial development standards addressing landscaping, parking, signs, and site and building design, ensuring that the development would be visually compatible with surrounding land uses. Refer to a detailed discussion of the visual character of the project in Section 4.1, *Aesthetics*, of this

report. Consistency with and deviations from the applicable development standards for the El Camino Real corridor are discussed below under that heading. The project would improve the aesthetics of the former Robinsons-May department store and eastern end of the main mall structure by updating the exterior with more modern features, enhanced landscaping and updated building materials, thus, creating a visual form that would be more pleasing to the eye as anticipated in the cited General Plan policies.

#### *Circulation Element*

- *A City with a circulation system that promotes alternative transportation such as walking, bicycling and public transportation.*
- *A City with an adequate circulation infrastructure to serve the projected population.*
- *A City which promotes, encourages, and accommodates a variety of transportation modes as alternatives to the automobile.*
- *A City with a transportation system which helps to minimize air pollution and traffic congestion and supports commerce and economic development.*
- *A City with an integrated transportation network serving local and regional needs which accommodates a balance of different travel modes based on safety, convenience, attractiveness, costs, environmental and social impacts.*
- *Commercial, Objective B.5: To provide safe, adequate and attractively landscaped parking facilities.*
- *Scenic Roadways, Objective B.1: To enhance the scenic, environmental and historic quality of roadways in conjunction with the Circulation, Open Space and Conservation, and Parks and Recreation Elements of the General Plan.*
- *Scenic Roadways, Objective B.6: To provide a means of enhancing scenic roadways and making them identifiable to the travelling public.*

Project Consistency: Mass transit service provided within the vicinity of the SP area promotes the use of public transportation while reducing the need for parking. The NCTD transit station located within the SP area would remain operational throughout

construction associated with the current SDP proposal. No changes to the NCTD station are proposed. The planned circulation system would accommodate project traffic and no significant traffic/circulation, air quality or noise impacts would occur along the City roadway network as a result of SDP implementation. Refer to a detailed discussion of the traffic and circulation impacts of the proposed SDP in Section 4.12, *Transportation/Traffic*, of this report.

Improvements to the existing parking areas would include installation of new lighting standards; repaving/restriping of the parking areas; and ongoing maintenance. Enhanced and additional landscaping would be installed within the parking areas adjacent to new commercial buildings and would contribute to the improved attractiveness of the site's parking facilities. As a result, the project would provide safe, adequate, and attractively landscaped parking facilities consistent with the cited Circulation Element policies in the General Plan.

Although the proposed SP and SDP would not implement the Old Spanish/Hispanic theme specified in the El Camino Real Corridor Development Standards, the proposed SP and SDP would enhance the scenic characteristics of El Camino Real by enhancing landscape treatments along the road within the adjacent parking lots that interface with the road, updating the architecture of the main mall that would be visible from the corridor and providing improved signage for the shopping center. Therefore, the project would be consistent with the scenic roadway policies.

#### *Noise Element*

- *A City which is free from excessive, objectionable, or harmful noise.*
- *A City where land uses are not significantly impacted by noise.*
- *Circulation, Roads Goal: To provide a roadway system that does not subject surrounding land uses to significantly adverse noise levels.*

Project Consistency: The proposed project would be compatible with the noise environment of the SP area and would not create any new noise sources that would impact surrounding land uses. Therefore, the project is consistent with the Noise Element of the General Plan. Refer to a detailed discussion of the noise impacts of the SDP project in Section 4.10, *Noise*, of this report.

### *Housing Element*

- *Carlsbad's existing housing stock preserved, rehabilitated, and improved with special attention to housing affordable to lower-income households.*
- *New housing developed with diversity of types, prices, tenures, densities and locations, and in sufficient quantity to meet the demand of anticipated City and regional growth.*
- *The City will encourage mixed-use developments that include a residential component. Major commercial centers should incorporate, where appropriate, mixed commercial/residential uses.*
- *Sufficient new, affordable housing opportunities in all quadrants of the City to meet the needs of current lower and moderate income households and those with special needs, and a fair share proportion of future lower and moderate income households.*

Project Consistency: In addition to those existing uses associated with Westfield Carlsbad, a wide range of commercial and service uses would be permitted under the SP. While no residential uses are being proposed as part of the SP and current SDP proposal, the SP encourages mixed-use development on site that includes a residential component, consistent with Housing Element goals and the General Plan objectives for medium and high-density uses close by convenient shopping, transportation corridors and employment areas. Therefore, the project is consistent with the Housing Element of the General Plan. It should be noted that any future development of residential uses on the SP site would be subject to further CEQA review and additional discretionary approval.

### *Public Safety Element*

- *A City which minimizes injury, loss of life and damage to property resulting from fire, flood, crime, hazardous material, or seismic disaster occurrence.*
- *Crime Hazards, Objective B.4: To encourage crime prevention through the planning process by establishing specific design criteria and standards to be used in the review of land use development.*

Project Consistency: The City of Carlsbad has adopted its Emergency Plan, which addresses the City's planned response to extraordinary emergency situations. The

open space corridors south and north of the SP area have a potential to have wildfires; however, wildfire hazard in the SP area is considered minimal because the shopping center is surrounded by pavement and any new commercial development under the SP, including the current SDP proposal, would be required to implement fire safety measures for building construction and landscaping. Additionally, according to the LFMP 1, all future development in Zone 1 is within the 5-minute response time of Fire Stations No. 1 and No. 3.

Implementation of the SP and current SDP proposal would not result in an alteration of the topography or drainage characteristics of the site or increase the potential for flooding in the SP area. According to FEMA Flood Insurance Rate Map (FIRM; FEMA 2007) the SP area is not located within a flood zone. Impervious surfaces would be decreased through a combination of increased landscape square footage and the construction of pervious pavement in portions of the parking areas. No new drainage facilities would be required and no drainage impacts would occur as discussed in Section 4.8, *Hydrology and Water Quality*, of this report.

The City of Carlsbad Police Department's response time to the project site is currently six minutes (City of Carlsbad 2010a). According to the Police Department, the SP area would be provided with adequate police services.

Development of the project site would result in new commercial uses on the site. The expected increase in development would incrementally result in more hazardous materials, such as cleaning supplies, refrigerants and other substances, being used, stored, and discarded within the community. However, the expected use of hazardous materials is considered minimal and normal use associated with commercial land uses. Since hazardous materials would be stored, handled, transported, and disposed in accordance with existing regulations, no significant impact associated with hazardous materials is expected to occur, as discussed in Section 4.7, *Hazards and Hazardous Materials*.

Similar to the rest of southern California, the City of Carlsbad is seismically active. Adherence to City and state building codes would reduce or eliminate any known potential for seismic disaster, as discussed in Section 4.5, *Geology and Soils*, of this report.

For the above reasons, the project is consistent with the Public Safety Element of the General Plan.



### *Arts Element*

- *A City strongly reflecting the arts in its total environment with land and facilities permanently dedicated to performing and visual arts, together with an abundant range of on-going and special arts programs involving as many regular and visiting members of the community as possible, as active participants, audiences, and patrons.*
- *Objective B.4: To develop, modify, and improve, with a consideration for aesthetic issues (in addition to engineering, safety, cost, and other issues), City landforms, landscaping, and architecture.*

Project Consistency: The SP would provide development standards, design guidelines, and implementation procedures to protect and enhance the environment, character, and image of Carlsbad, while the current SDP proposal would involve the installation of new commercial development and landscaping consistent with the SP. The existing landform of the shopping center would be retained and minimal grading would be required to implement the SDP. The proposed project would also develop, modify, and improve landscaping and architecture in the SP area. Thus, the project would be consistent with the Arts Element of the General Plan, as it relates to aesthetics.

### Consistency with City of Carlsbad Zoning Ordinance

The proposed SDP is consistent with the Regional Commercial designation of the SP area and no zone change is proposed. In instances where the SP development regulations would vary from the General Commercial (C-2) Zoning Ordinance regulations, the SP development standards and guidelines would prevail for development and redevelopment within the SP area. Listed in the SP are the uses that would be permitted within the SP area following adoption of the plan, and uses that could be allowed within the SP area if approved as part of a Conditional Use Permit/Planning Commission Hearing process (see Appendix B for detailed information). The SP proposes variances from the development regulations of the C-2 Zone in the areas of building height, landscaping and signage. As discussed in Section 4.1, *Aesthetics*, of this report, the long-term aesthetic changes associated with the variances would update and improve the visual interest of the shopping center through the use of new façade treatments, building articulations, increased landscaping and other design elements. Increased building heights in and around the main mall would modify the roof structure and provide visual interest to the shopping center, but would not be substantial relative to the height of the existing structure. Landscaped setbacks would be implemented around the perimeter of the site to provide visual relief from the expansive parking

areas that surround the shopping center. As such, the proposed SP and current SDP proposal would be consistent with the intent of the Carlsbad Zoning Ordinance.

#### Consistency with Growth Management Chapter of Municipal Code

The proposed project is in compliance with the following applicable policies contained in the Growth Management Chapter of the City's Municipal Code:

- Provide a balanced community with adequate commercial, industrial, recreational and open space areas to support the residential areas of the City;
- Ensure that public facilities and improvements meeting City standards are available concurrent with the need created by new development;
- Ensure that all development is consistent with the Carlsbad general plan;
- Prevent growth unless adequate public facilities and improvements are provided in a phased and logical fashion as required by the general plan;

No development permit shall be approved unless the approving authority finds that the permit is consistent with the citywide facilities and improvements plan and the applicable LFMP. To ensure consistency the approving authority may impose any condition to the approval necessary to implement the plans.

For a detailed discussion of the SP's consistency with existing and planned services and facilities as well as the requirements of the Growth Management Chapter of the Zoning Ordinance, please refer to Section 4.13, *Utilities and Service Systems*, of this EIR. Because construction or development would not be allowed within the SP area without compliance with the LFMP 1, the SP and current SDP proposal would be consistent with the requirements of the Growth Management Chapter of the Carlsbad Zoning Ordinance.

#### Consistency with Zone 1 Local Facilities Management Plan

The LFMPs were adopted to ensure that growth occurs in concert with public facilities and service systems. The City's fire, schools, libraries, and parks and recreation performance standards were developed assuming population growth occurs through the construction of additional dwelling units. The SP is located within LFMP Zone 1, as shown in Figure 4.9-2 and

capacity planning conducted for the LFMP included the regional shopping center in its base calculations. The public facilities needed to service the LFMP are already in place. Implementation of the proposed SDP would not result in the provision of additional residential units or substantial employment opportunities that could be directly tied to additional growth. Therefore, the project would not conflict with the standards or thresholds for City administrative facilities, fire, schools, libraries, and park and recreation facilities.

#### Consistency with City's Landscape Manual

The City's Landscape Manual applies to all public and private developments requiring discretionary permits. As such, the SP and current SDP proposal must and would comply with the requirements, standards, and guidelines contained in the Landscape Manual. Therefore, no significant impact associated with the Landscape Manual would occur.

#### Consistency with Precise Plan (PP 24)

The existing PP 24 and all subsequent amendments that have been processed to govern additional development and changes to the shopping center since its inception (e.g., PP 24[A] – PP 24[K]) would be superseded by the proposed SP. Therefore, any partial or total rehabilitation, reconstruction, or replacement of existing buildings within the Westfield Carlsbad SP area will be subject to the requirements contained within the SP and the applicable Code provisions relating to non-conforming uses.

#### Consistency with El Camino Real Corridor Development Standards

The development standards and design guidelines included in the Westfield Carlsbad SP would be in compliance with the standards for signage, building height, grading, and roadway setback detailed in the El Camino Real Corridor Development Standards (City of Carlsbad 1984). Future out-buildings to be constructed within 300 feet of El Camino Real on the existing surface parking lots in the eastern portion of the SP area may reach a maximum height of 35 feet from pad grade. These buildings must be set back a minimum of 15 feet from El Camino Real. Building heights within the main mall would not be subject to the El Camino Real Corridor Development Standards, as it is located greater than 300 feet from the roadway ROW. Cut or fill exceeding 15 feet from existing grade would not be permitted within the SP area, except if it is required for the construction of an underground parking structure(s) (not currently proposed). A detailed sign program is being processed concurrently with the SP to integrate signs with building, site and landscape design to form a unified architectural statement. As described under

*Aesthetics*, the new monument and other signage proposed throughout the SDP area would be contemporary and complementary to the revitalized shopping center and would not result in a significant impact. Although the SP and current SDP proposal would feature certain building elements that would not strictly adhere to the design theme and signage materials standards for the El Camino Real corridor, the proposed deviations would not result in a significant visual quality impact along the highway, as discussed in Section 4.1, *Aesthetics*, of this EIR.

#### Consistency with Habitat Management Plan for Natural Communities in the City of Carlsbad

The Buena Vista Lagoon Ecological Reserve, which is situated west of the project site, is listed within the HMP as a Hardline Preserve or Standards Area and Core Area 1 major wildlife movement corridor. The SP area and Buena Vista Creek to the north are located within the planning area of the HMP, although neither is identified within the core habitat area. In addition, the SP area and vicinity are not designated as Hardline Preserve or Standards Areas. As discussed in Section 5.5.2, *Biological Resources*, of this report, the proposed SP and current SDP proposal would not directly or indirectly impact resources protected by the HMP.

#### Consistency with City of Oceanside Draft Subarea Plan

As they would be implemented on a developed site, the SP and current SDP proposal would not affect any Pre-approved Mitigation Areas identified in the Draft Subarea Plan. No significant indirect effects to riparian habitat or resources in Buena Vista Creek would occur as discussed in Section 5.5.2 of this report. Thus, the proposed project would not affect the City of Oceanside's ability to accomplish the objectives in its Subarea Plan.

#### **4.9.4 Mitigation Measures**

No mitigation measures are proposed as no significant impacts associated with land use and planning have been identified.

#### **4.9.5 Level of Significance after Mitigation**

No mitigation is required; impacts would be less than significant.

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